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Attorneys for Plaintiff
MAC PROJECT LLC

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MAC PROJECT LLC, a Nevada limited
liability company,

Plaintiff,

vs.

HIGH LONESOME CLAIMS, a Nevada
mining claim ownership group; HIGH
LONESOME MINING, INC., a Nevada
corporation; RICHARD W. SEARS, an
individual; LESLIE A. SEARS, an individual;
NIKOLAI L. DOBRESKU, an individual;
KELLIE ANN DOBRESKU, an individual;
STEVEN L. DOBRESKU, an individual;
TEENA K. DOBRESKU, an individual;
DAVE SOUTHAM, an individual; CAMIE
SOUTHAM, an individual; CLAY SEARS, an
individual; LISA SEARS, an individual;
MICHAEL S. PASEK; JUNE SALISBURY,
an individual; PHIL SALISBURY, an

Case No. 3:24-cv-00217

JOINT ORDER

Complaint Filed: May 20, 2024

individual; WHITE PINE COUNTY, a legal
subdivision and Legislative Commission of the
State of Nevada,

Defendants.

HLC , ET. AL.,
Counterclaimant,

vs.

KAPACKÉ MINING, INC., A Former
Montana Corporation, MAC MINING, INC.,
A Nevada Corporation, MAC PROJECT, A
Nevada LLC, KAPACKÉ MINING, L.L.C., A
Former Nevada Limited Liability Company,
OSCEOLA GOLD INC., A Delaware
Corporation Formerly A Nevada Corporation,
PIZZ INC, A Former Nevada Corporation,
PHY HEALTH, INC., Corporate Status
Unknown, KARLA SANCHEZ, an individual,
PAT PIZZAFERRATO, an individual,
TRACY PIZZAFERRATO, an individual
TOM MOORE, an individual, CARMEN
DECESARE, an individual.

Counter-Defendants.

As directed by the Court in its Minute Order dated August 14, 2024 (DKT: 51), the parties,
through their respective attorneys, met and conferred on a Restraining Order pending this Court's
ruling on Plaintiff's Partial Motion for Summary Judgment, and jointly propose the following Order:

Until such time as this Court rules on the ownership of the unpatented mining claims at issue,
all parties are precluded from entering upon all those unpatented mining claims which are set forth
in Plaintiff's First Amended Complaint and are attached hereto as Exhibit "A" which is incorporated

1 herein by reference, including any related boundary dispute which includes, but is not limited to, the
2 easterly boundary of “MAV5 #A” (the “Claims at Issue”), except that:

3 (i) Plaintiff may preserve the existing infrastructure associated with the Claims at Issue in
4 accordance with standard industry practices and safety procedures or as directed by a regulatory
5 governmental agency;

6 (ii) Plaintiff may perform reclamation actions upon the Claims at Issue:

7 (x) as are required for past disturbances caused under pre-existing BLM-approved
8 Plan of Operations,

9 (y) with prior written BLM approval and oversight, and

10 (z) over those lands where such party is a co-principal associated with a currently-
11 existing bond, or

12 (iii) Plaintiff may engage in non-mechanical geological field exploration assay programs
13 upon the Claims at Issue., when such program is conducted at the direction of a certified
14 geologist; and

15 (iv) Defendant may not place any earthen or other fill material into any of the Claims at Issue,
16 nor shall it in any way consider the Claims at Issue as existing infrastructure for any
17 neighboring mining activity.

18 Unless required to respond to an emergency, any entry upon the Claims at Issue enumerated
19 above may occur one hour before sunrise, as such time is determined in accordance with the Nevada
20 Department of Wildlife Sunrise and Sunset Table for Ely, Nevada, and such entry shall cease one
21 hour after sunset in the aforementioned Table.

22 For avoidance of doubt, at any time when a party enters upon any of the Claims at Issue, there shall
23 be no mechanical removal or excavation of any earthen material which may or may not contain gold
24 or any locatable mineral.

1 Subject to the specific provisions above, Defendant Pasek may use the dirt road currently
2 traversing the northeast corner of the MAV5 #A mining claim in a southeasterly or northwesterly
3 direction, as the case may be, which connects the north-bounding dirt road to the Yorkshire mining
4 claim, but such utilization shall solely be for removing material that is not part of the Claims at Issue.
5

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7 **SLIGHTING LAW**

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9 DATED: August 20, 2024

BY: Bradley S. Slighting
Bradley S. Slighting, Esq.

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11 **WELLMAN & WARREN, LLP**

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13 DATED: August 20, 2024

BY: Scott Wellman
Scott Wellman, Esq.

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17 **IT IS SO ORDERED**

18 DATED this 20th day of August 2024.


19 
Miranda M. Du, Chief U.S. District Judge

EXHIBIT “A”**CLAIMS AT ISSUE**

CLAIM NAME	BLM SERIAL NO.	LEGAL DESCRIPTION	RECORDER DOCUMENT NO.
Stormy B	NV106349577	W½ SE¼ SE¼§ 23	2024-401450
Stormy C	NV106349578	E½ SW¼ SE¼§ 23	2024-401452
Stormy D	NV106349579	W½ SW¼ SE¼§ 23	2024-401454
Stormy E	NV106349580	W½ NE¼ SE¼§ 23	2024-401456
Stormy F	NV106349581	S½ NE¼ SE¼§ 23	2024-401458
HLC 1	NV106354819	SW¼ § 22	2024-401558
HLC 2	NV106354820	SE¼ § 22	2024-401560
HLC 3	NV106354821	SW¼ § 23	2024-401561
HLC 7	NV106354819	SE¼ § 21	2024-401557
Solomon 1	NMC125421	SW¼ § 22	137130
Solomon 2	NMC125422	SE¼ § 22	137131
Solomon 3	NMC125423	SW¼ § 23	137132
Solomon 7	NMC125427	SE¼SE¼ § 21	140730
MAV # 5A	NMC251803	W½ NW¼ SE¼§ 23	221498
MAV # 5C	NMC251805	W½ NE¼ SE¼§ 23	221500
MAV # 5D	NMC251806	E½ NE¼ SE¼§ 23	221501
MAV # 5E	NMC251807	W½ SW¼ SE¼§ 23	221502
MAV # 5F	NMC251808	E½ SW¼ SE¼§ 23	221503
MAV # 5G	NMC251809	W½ SE¼ SE¼§ 23	221504

CERTIFICATE OF SERVICE

I hereby certify, under penalty of perjury, under the laws of the United States of America that on this date, I caused to be electronically filed the foregoing document, and this Certificate of ECF Filing & Service, with the Clerk of the Court using the CM/ECF system, who will send notification of such filing to the following party:

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